Duggan & Caccavaro 520 Providence Highway, Suite 4 Norwood, MA 02061 -and-Kenny, Stearns & Zonghetti 26 Broadway New York, New York 10004 Attorneys for Defendant Reinauer Transportation Companies, LLC

UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

City of Boston,

Civil Action No.: 03-12415 (RWZ)

Plaintiff,

-against-

Reinauer Transportation Companies, LLC,

Defendant.

NOTICE OF MOTION OF DEFENDANT REINAUER TRANSPORTATION COMPANIES, LLC FOR ORDER PURSUANT TO FED.R.CIV.P.37 TO COMPEL ANSWERS TO INTERROGATORIES AND NOTICE TO **PRODUCE**

To: John J. Finn, Esq. Finn & Finn 2 Hayden Rowe Street Hopkinton, Massachusetts 01748 Attorney for City of Boston

PLEASE TAKE NOTICE THAT defendant Reinauer Transportation Company, LLC shall move pursuant to Federal Rule of Civil Procedure 37 and Local Rule 7.1 before the United States District Court for the District of Massachusetts, Honorable Rya W. Zobel at the John Joseph Moakley United States Courthouse, 1 Courthouse Way, Suite 2300, Boston, Massachusetts 02210 for an order pursuant to Federal Rule of Civil Procedure 37 compelling plaintiff City of Boston to respond to defendant Reinauer Transportation Company, LLC's interrogatories and notice to produce.

Dated: September 14, 2005

Kenny, Stearns & Zonghetti Attorneys for Defendant Reinauer Transportation Companies, LLC

Gino A. Zonghetti (GAZ-2641)

Duggan & Caccavaro 520 Providence Highway, Suite 4 Norwood, MA 02061 Attorneys for Defendant